

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 1994-443-T AND 2008-50-T - ORDER NO. 2009-252

APRIL 16, 2009

IN RE: Docket No. 1994-443-T - Application of)	ORDER GRANTING
Irvin Brown for a Class C (Taxi) Certificate)	RECONSIDERATION
of Public Convenience and Necessity for)	AND REINSTATEMENT
Operation of Motor Vehicle Carrier)	
)	
AND)	
)	
Docket No. 2008-50-T - Petition of the)	
Office of Regulatory Staff for the)	
Commission to Order Rule to Show Cause as)	
to Why the Certificates of Public)	
Convenience and Necessity for Certain)	
Motor Carriers Should Not Be Revoked for)	
Non-Payment of License Fees)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request of Irvin Brown (“Mr. Brown”) for reconsideration of Commission Order No. 2009-147, wherein this Commission denied reinstatement of Mr. Brown’s Class C Certificate of Public Convenience and Necessity No. 6213. Order No. 2009-147 was based upon Mr. Brown’s lack of response to the Office of Regulatory Staff’s (“ORS”) action to revoke his Certificate in 2007, his failure to provide timely evidence of insurance and payment of decal fees prior to 2008, and his failure to show a commitment to maintain compliance with Commission rules and regulations, or to timely cooperate with the ORS.

Mr. Brown, through counsel, has now filed a request for reconsideration of Order No. 2009-147. The request asserts that the reason for Mr. Brown's current problems all stem from an accident for which Mr. Brown was not responsible. Further, Mr. Brown's counsel asserts that Mr. Brown now has a vehicle, proper insurance, and a driver for his vehicle, all of which have been issues in the past. Accordingly, Mr. Brown's counsel requests reconsideration of our Order denying the reinstatement of Mr. Brown's Certificate. The Office of Regulatory Staff has not commented on the request for reinstatement.

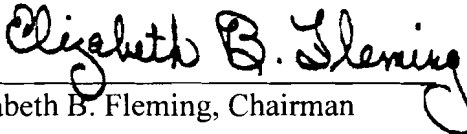
We have considered this matter, and have concluded that, under the circumstances, Mr. Brown deserves another chance to come into compliance with Commission rules and regulations, and, therefore, to gain reinstatement of his Certificate of Public Convenience and Necessity, since Mr. Brown's difficulties apparently stem from an accident for which he was not responsible. Accordingly, we grant reconsideration of Order No. 2009-147, and reinstatement of Class C (Taxi) Certificate No. 6213, subject to Mr. Brown's compliance with all applicable Commission rules and regulations.

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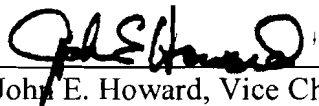
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This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)